

27 August 2015

MEDIA STATEMENT

Enough is enough – McArthur River Mine must be closed

The Environment Centre NT has today demanded that the Chief Minister close Glencore's McArthur River Mine to protect people, cattle and wildlife from further contamination.

FOI documents obtained by the Environmental Defenders Office NT confirm several NT Government departments were aware of serious contamination issues at the site for at least 18 months and that these environmental problems can only be properly addressed by closing the mine.

Acting Director Anna Boustead said: 'These reports confirm our suspicions that the NT Government and Glencore have been aware of serious heavy metal contamination issues at McArthur River for years but failed to properly alert the public to the risk of lead poisoning in fish, invertebrates and cattle.'

'We must remember that this is a mine that was only allowed to expand in 2006 because our parliamentarians changed the law in the middle of the night to allow it to go ahead.'

'Past and present governments have not heeded the warnings of Traditional Owners and environmental groups, and now we are all paying the price; but none more so than the Traditional Owners and residents of the Borroloola region.'

'It seems Glencore and successive governments have betrayed the community by withholding critical information about heavy metal contamination of the McArthur River catchment and Bing Bong port in what should have been a very public environmental, health and safety issue.'

'The NT Government must immediately demand Glencore put a proper closure plan for McArthur River Mine in place including a viable rehabilitation levy.'

The documents contain a memo by the Department of Mines and Energy to the Minister for Mines and Energy dated back to September 2014. It revealed the extent of the environmental damage, as well as the health risk posed by mine, including elevated levels of lead found in fish, invertebrates and cattle and sulphur dioxide emissions from the *'highly reactive'* waste rock dump.ⁱ

The Department itself admitted in the documents that *'returning the (waste rock) material to the pit is the only viable long-term remediation strategy'*ⁱⁱ, which would require the mine to close. It also highlighted that *'there is insufficient non-AMD producing material available to construct the waste rock dump as per designs to effectively encapsulate the AMD producing material'*ⁱⁱⁱ.

The Department also stated in its briefing that *'the lack of a Closure Plan that can provide DME with confidence that the previously promised strategies can be implemented and achieve acceptable outcomes'* was an issue of concern.ⁱ

Ms Boustead said the Environment Centre had raised several questions about the current status of Glencore's Mine Management Plan and Closure Plan as well as the outcome of a *'new economic assessment'* flagged in the briefing documents.

The Department noted during a site visit by the Minister for Mines and Energy on 15 July 2014: *'The potential risk for cattle in the vicinity of mining or related activities on the (McArthur River Station) site to be contaminated with lead or other heavy metals was pointed out to MRM's Environment Manager.'*ⁱⁱⁱ

On 7 August 2014 tests revealed that one out of five animals slaughtered for testing '*had a lead content in its kidneys above the Maximum Residue Level allowable for human consumption of offal*'.^{iv}

Glencore, the operator of McArthur River Mine, grossly underestimated the amount of potentially acid forming material; claiming in its 2011 Environmental Impact Statement that the proportion was 12% of waste rock, when it later found to be 88%.

The Environment Centre is meeting with the Department of Mines and and Energy later today.

'We have sought a meeting with Minister Tollner and Minister Higgins about the serious environmental issues at McArthur River Mine and will be, but are yet to receive an invitation from either Minister for a briefing on the matter.'

Traditional Owners Gadrian Hoosan and Nancy McDinny have [initiated a petition](#) to Clean-up and Close McArthur River Mine with the support of the Environment Centre NT.

Contact: Anna Boustead

Background

Documents obtained under FoI laws by the Environmental Defenders Office NT dating back to 25 September 2014 reveal the Department of Mines and Energy (DME) told the Minister for Mines and Energy and the Chief Minister that:

- It did not have confidence in McArthur River Mine's Closure Plan, listing as a concern; *'the lack of a Closure Plan that can provide DME with confidence that the previously proposed strategies can be implemented and achieve acceptable outcomes.'*
- Elevated levels of lead were found in *'fish, invertebrates and cattle'*;
- The mine was experiencing serious problems with materials leaching acid and metals into surrounding waterways, referred to as *'the problem of acidification and metalliferous drainage (AMD)'*;
- Glencore, operator of McArthur River Mine (MRM), grossly underestimated the amount of potentially acid forming material; claiming in its 2011 Environmental Impact Statement (EIS) that the proportion was 12% of waste rock, when in fact it was 88%. *'On 24 February 2014, DME notified the EPA of the new information which indicated an increase of AMD material from 12% to 88%'*.
- DME sought an increased amount of 'bond' to cover the cost clean-up of the site 12 months ago, which has not been forthcoming. *'On 11 August 2014 DME sent a written instruction to MRM directing the operator (Glencore) to provide a revised security calculation that will cover the cost of returning all the waste rock, as well as the contents of the Tailings Storage Facility to the open-cut pit at the conclusion of mining activities.'*

On Closure of McArthur River Mine:

- *'At this point in time, the returning of the above material to the pit is the only viable long-term remediation strategy'*, which would require closure of the mine.
- *'Regardless of decisions relating to long-term waste rock and tailings management, it may necessary for the final void to be backfilled to ensure long-term environmental projection of the region.'*
- *'Given the level of uncertainty, there is a need to consider all potential outcomes which may include a decision by the operator to close the mine.'*
- Calls for *'a new economic assessment to be undertaken on the mine's economic contribution to the NT economy so that Government has a clear understanding of what impact premature closure may have on the NT.'*
- In its response to the Independent Monitors report, DME highlighted that there was not enough non-toxic material available to seal the highly reactive waste rock dump: *'there is insufficient non-AMD producing material available to construct the waste rock dump as per designs to effectively encapsulate the AMD producing material'*

On Glencore's operation of McArthur River Mine

- *'MRM's actions regarding waste rock classification and management has not met current industry standards for many years.'*
- Contaminated water had been entering Surprise Creek and groundwater from the Tailings Storage Facility for at least several months prior to June 2014. *'The water seeping from the TSF is of very poor quality, and contains elevated levels of metals in solution.'*
- The Tailings Storage Facility was being used to store water *'which the structure was not designed for'*.
- There was a serious risk of the Tailings Storage Facility collapsing, which would be a catastrophic event leading to large volumes of contaminated water entering McArthur River. *'... It would result in the uncontrolled discharge of hundreds of megalitres of contaminated water to the McArthur River system and the escape of millions of cubic metres of highly reactive and toxic tailings.'*
- A briefing on the IM report dated February 2015 notes that *'oysters in the Bing Bong port shipping channel had elevated levels of zinc and mussels in the channel and from a beach close by, had elevated levels of lead.'*

- In reference to reports required by DME to be submitted by Glencore: *'Often, information presented in these documents has been found to be out of date, contradictory or illegible'* (p.9)
- Risk assessment analysis of the 2014 Independent Monitor report shows that the level of risks posed have generally *'increased in likelihood and/or consequence and as a result, their risk rating has increased'*.
- A memo from DME to the Minister for Mines and Energy dated 9 February 2015 stated that: *'The Chief Health Officer and Department of Health have an overall responsibility to safeguard the health of the public and request that DME, under s62 of the Mining Management Act, issue an instruction to MRM to erect warning signage along Barney and Surprise Creek and within the immediate region of Bing Bong Port, advising people not to eat fish or other species from these waters because it may pose a risk to public health.....MRM has not yet demonstrated that appropriate signage has been erected as agreed by the CHO.'*

On the NT Government's reaction to these critical issues:

- In the case of elevated lead levels in larger fish species, DME stated in September 2014 *'If test results show containments above prescribed levels for human health, the Chief Health Officer will be required to issue an immediate public health warning for those affected species not to be consumed or their consumption to be limited in order to stay within guidelines.'* Very limited information was subsequently provided to the public about the contamination risk.
- DME had reviewed the latest Mine Management Plan and referred it to the NT Environmental Protection Authority in February 2014 when it *'became aware of a major change in waste rock classification'*. The status of the current MMP since it was referred to the NT Environmental Protection Authority and rejected by DME is unclear. Glencore was required to submit a revised MMP by 28 February 2015.
- During a site visit by the Minister for Mines and Energy on 15 July 2014: *'The potential risk for cattle in the vicinity of mining or related activities on the (McArthur River Station) site to be contaminated with lead or other heavy metals was pointed out to MRM's Environment Manager.'*
- On 7 August 2014 tests revealed that one out of five animals slaughtered for testing *'had a lead content in its kidneys above the Maximum Residue Level allowable for human consumption of offal'*.
- *'It estimated that there may be 200 to 300 largely feral cattle within the 'grazing region' (using a 5km radius) of the mine site that need to be treated as possible 'lead-affected'.'*
- The NT Government sat on this information for at least 12 months, until a statement was made last Friday omitting critical details, such as the site of the contamination.

ⁱ 29 September 2014, Memorandum to the Chief Minister forwarding Memorandum of 25 September to the Minister for Mines and Energy from the Chief Executive of the Department of Mines and Energy re: McArthur River Mine Environmental Management Issues, p.3

ⁱⁱ 29 September 2014, Memorandum to the Chief Minister forwarding Memorandum of 25 September to the Minister for Mines and Energy from the Chief Executive of the Department of Mines and Energy re: McArthur River Mine Environmental Management Issues, p.5

ⁱⁱⁱ September 2014, Departmental response to the Independent Monitor's Environmental Performance Report of the McArthur River Mine for the 2012 and 2013 Operational Periods, p.3

^{iv} 29 September 2014, Memorandum to the Chief Minister forwarding Memorandum of 25 September to the Minister for Mines and Energy from the Chief Executive of the Department of Mines and Energy re: McArthur River Mine Environmental Management Issues, p.4